

Former hockey players sue NHL over head injuries

By Associated Press, adapted by Newsela staff

Apr. 22, 2014 4:00 AM



Nashville Predators' Paul Gaustad (28) and Buffalo Sabres' Zenon Konopka (24) fight during the second period of an NHL hockey game in Buffalo, N.Y., March 11, 2014.

MINNEAPOLIS—Another group of former National Hockey League players is suing to get paid for head injuries they say happened when they played.

The former hockey players are also targeting the violence of the game that they believe led to those injuries. They are seeking money for their injuries and increased medical monitoring.

The retired players are Dave Christian, Reed Larson and William Bennett. They filed a lawsuit in federal court on Tuesday. They say the league has promoted fighting and downplayed the risk of head injuries that come from it.

“I think the glorified violence is really the Achilles heel for the NHL,” said Charles “Bucky” Zimmerman, the lawyer who filed the lawsuit. “If anything comes of this, the focus on the glorified violence and perhaps the change to that will be a good thing.”

Follows NFL Injury Case

The lawsuit is similar to one brought by former football players against the National Football League. Hockey players have also filed lawsuits in Washington and New York.

NHL Deputy Commissioner Bill Daly said the league expected another lawsuit. “It’s the nature of these types of cases that once one is filed, a number of similar cases follow. Nothing changes our belief that all of these cases are without merit and they will be defended accordingly.”

The NHLPA, the players union, declined to comment.

Zimmerman also worked on the legal case against the NFL. That league agreed to pay a \$765 million settlement to thousands of former players. That settlement is still awaiting a judge’s approval, but the headlines it generated have been partially responsible for hockey players making their own case against the NHL.

“We’ve seen it in football. It’s now here in hockey,” Zimmerman said. “There’s knowledge, we believe, that these type of concussive injuries were known and protections were not put in place appropriately enough and fast enough.” He added that rules changes “were not implemented even today in fighting.”

Zimmerman said, “Players continue to be at risk and suffer as a result of those risks that they take on behalf of the sport. We think those are unreasonable and they should be changed and the players should be compensated.”

Lawsuit Cites Fighting

The lawsuit alleges “the NHL hid or minimized concussion risks from its players.” A concussion is a brain injury caused by a blow to the head. The lawsuit said that because of the NHL’s actions, players were at a much higher risk for developing symptoms. The conditions include memory loss, trouble thinking, and even brain-related diseases.

Some argue that the NFL case is different than the NHL case. They say that by fighting, players willfully take on the health risks caused by violence on the ice.

“You could make that argument only to a point,” Zimmerman said. “And the point is that the fighting arena would not exist and would be outlawed as it is in every other level of the game had the NHL not condoned it and sold tickets based upon it and promoted the sport in that way.” Zimmerman said that the players don’t make the rules. The league does. “If they would outlaw fighting, there wouldn’t be people who would fight.”

Zimmerman said he thinks more players will join the legal fight, just like they did in the NFL case.

“The light went on for them as the football players’ story was becoming more told,” Zimmerman said. “I think the hockey players started to see that their story was going to be heard and told. It’s not that we haven’t known about football players or hockey players getting hurt. It’s now become

more important that we talk about it and do something about it rather than just benignly let it continue into the future.”

Quiz

1. Which of the following goes against the NHL players and their claims in the lawsuit?
 - (a) The players willfully play in a league where fighting happens; the NFL players lost their lawsuit.
 - (b) Only three retired players filed for the lawsuit; the players willfully play in a league where fighting happens.
 - (c) The NHL feels confident it will successfully defend the lawsuit; only three retired players filed for the lawsuit.
 - (d) The players willfully play in a league where fighting happens; the NHL feels confident it will successfully defend the lawsuit.
2. Based on the article, the hockey players accuse the NHL of all the following EXCEPT:
 - (a) Making money off the fighting between players.
 - (b) Knowing of the risks players could get from concussions
 - (c) Paying players more to fight with one another.
 - (d) Waiting too long to make rule changes that would prevent injuries.

3. Read the following paragraph.

“You could make that argument only to a point,” Zimmerman said. “And the point is that the fighting arena would not exist and would be outlawed as it is in every other level of the game had the NHL not condoned it and sold tickets based upon it and promoted the sport in that way.” Zimmerman said that the players don’t make the rules. The league does. “If they would outlaw fighting, there wouldn’t be people who would fight.”

How does the main photo hurt or help Zimmerman’s argument:

- (a) It supports Zimmerman’s argument.
 - (b) It proves Zimmerman’s argument is false.
 - (c) It neither supports Zimmerman’s argument, nor proves it’s wrong.
 - (d) It equally supports Zimmerman’s argument and raises doubts about it.
4. Read the following paragraph.

Some argue that the NFL case is different than the NHL case. They say that by fighting, players willfully take on the health risks caused by violence on the ice.

How does smaller photo (depicting a referee) help or hurt the argument that the cases are different?

- (a) It helps. Hockey officials are helpless to stop fighting.
- (b) It helps. Hockey players are more aggressive than football players.
- (c) It hurts. Hockey officials accept fighting as part of the game.
- (d) It hurts. Hockey does not provide protective equipment.

Answer Key

1. Which of the following goes against the NHL players and their claims in the lawsuit?
 - (a) The players willfully play in a league where fighting happens; the NFL players lost their lawsuit.
 - (b) Only three retired players filed for the lawsuit; the players willfully play in a league where fighting happens.
 - (c) The NHL feels confident it will successfully defend the lawsuit; only three retired players filed for the lawsuit.
 - (d) The players willfully play in a league where fighting happens; the NHL feels confident it will successfully defend the lawsuit.**
2. Based on the article, the hockey players accuse the NHL of all the following EXCEPT:
 - (a) Making money off the fighting between players.
 - (b) Knowing of the risks players could get from concussions
 - (c) Paying players more to fight with one another.**
 - (d) Waiting too long to make rule changes that would prevent injuries.

3. Read the following paragraph.

“You could make that argument only to a point,” Zimmerman said. “And the point is that the fighting arena would not exist and would be outlawed as it is in every other level of the game had the NHL not condoned it and sold tickets based upon it and promoted the sport in that way.” Zimmerman said that the players don’t make the rules. The league does. “If they would outlaw fighting, there wouldn’t be people who would fight.”

How does the main photo hurt or help Zimmerman’s argument:

- (a) It supports Zimmerman’s argument.**
 - (b) It proves Zimmerman’s argument is false.
 - (c) It neither supports Zimmerman’s argument, nor proves it’s wrong.
 - (d) It equally supports Zimmerman’s argument and raises doubts about it.
4. Read the following paragraph.

Some argue that the NFL case is different than the NHL case. They say that by fighting, players willfully take on the health risks caused by violence on the ice.

How does smaller photo (depicting a referee) help or hurt the argument that the cases are different?

- (a) It helps. Hockey officials are helpless to stop fighting.
- (b) It helps. Hockey players are more aggressive than football players.
- (c) It hurts. Hockey officials accept fighting as part of the game.**
- (d) It hurts. Hockey does not provide protective equipment.